

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 509**

Introduced by Pirsch, 4.

Read first time January 21, 2009

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to campaign finance; to amend section  
2 32-1603, Reissue Revised Statutes of Nebraska, and  
3 section 49-1455, Revised Statutes Cumulative Supplement,  
4 2008; to redefine election period; and to repeal the  
5 original sections.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 32-1603, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           32-1603 For purposes of the Campaign Finance Limitation  
4 Act, the definitions found in sections 49-1404 to 49-1444 shall be  
5 used, except that:

6           (1) Covered elective office means (a) the Legislature  
7 in any election period and (b) the Governor, State Treasurer,  
8 Secretary of State, Attorney General, Auditor of Public Accounts,  
9 the Public Service Commission, the Board of Regents of the  
10 University of Nebraska, and the State Board of Education if  
11 designated as covered for a given election period pursuant to  
12 section 32-1611;

13           (2) Election period means (a) the period beginning  
14 January 1 of the calendar year ~~prior to~~ following the year of  
15 the last general election in which the candidate is seeking office  
16 was on the ballot through the end of the calendar year of such  
17 the following election; ~~for covered elective offices listed in~~  
18 ~~subdivision (1)(a) of this section and (b) the period beginning~~  
19 ~~July 1 of the calendar year prior to the year of the election~~  
20 ~~in which the candidate is seeking office through the end of the~~  
21 ~~calendar year of such election for covered elective offices listed~~  
22 ~~in subdivision (1)(b) of this section;~~

23           (3) Expenditure, as it relates to the expenditure of  
24 public funds, means (a) the purchase for campaign activities of (i)  
25 services from a communications medium, including production costs,

1 (ii) printing, photography, graphic arts, or advertising services,  
2 (iii) office supplies, (iv) postage and other commercial delivery  
3 services, (v) meals, lodging, and travel expenses, and (vi) staff  
4 salaries and (b) repayment of loans to the candidate committee made  
5 in accordance with subsection (2) of section 32-1608.03 for any of  
6 the purposes listed in subdivision (a) of this subdivision;

7 (4) General election period means the period beginning  
8 with the day following the end of the primary election period  
9 through the end of the election period;

10 (5) Primary election period means the period beginning  
11 with the first day of the election period through the thirty-fifth  
12 day following the primary election; and

13 (6) Unrestricted spending means expenditures or transfers  
14 of funds authorized under subdivision (6), (8), or (9) of section  
15 49-1446.03.

16 Sec. 2. Section 49-1455, Revised Statutes Cumulative  
17 Supplement, 2008, is amended to read:

18 49-1455 (1) The campaign statement of a committee, other  
19 than a political party committee, shall contain the following  
20 information:

21 (a) The filing committee's name, address, and telephone  
22 number and the full name, residential and business addresses, and  
23 telephone numbers of its committee treasurer;

24 (b) Under the heading RECEIPTS, the total amount of  
25 contributions received during the period covered by the campaign

1 statement; under the heading EXPENDITURES, the total amount of  
2 expenditures made during the period covered by the campaign  
3 statement; and the cumulative amount of those totals for the  
4 election period. If a loan was repaid during the period covered  
5 by the campaign statement, the amount of the repayment shall  
6 be subtracted from the total amount of contributions received.  
7 Forgiveness of a loan shall not be included in the totals. Payment  
8 of a loan by a third party shall be recorded and reported as a  
9 contribution by the third party but shall not be included in the  
10 totals. In-kind contributions or expenditures shall be listed at  
11 fair market value and shall be reported as both contributions and  
12 expenditures;

13 (c) The balance of cash and cash equivalents on hand at  
14 the beginning and the end of the period covered by the campaign  
15 statement;

16 (d) The full name of each individual from whom  
17 contributions totaling more than two hundred fifty dollars are  
18 received during the period covered by the report, together with  
19 the individual's street address, the amount contributed, the date  
20 on which each contribution was received, and the cumulative amount  
21 contributed by that individual for the election period;

22 (e) The full name of each person, except those  
23 individuals reported under subdivision (1)(d) of this section,  
24 which contributed a total of more than two hundred fifty dollars  
25 during the period covered by the report together with the person's

1 street address, the amount contributed, the date on which each  
2 contribution was received, and the cumulative amount contributed by  
3 the person for the election period;

4 (f) The name of each committee which is listed as  
5 a contributor shall include the full name of the committee's  
6 treasurer;

7 (g) Except as otherwise provided in subsection (3) of  
8 this section: The full name and street address of each person  
9 to whom expenditures totaling more than two hundred fifty dollars  
10 were made, together with the date and amount of each separate  
11 expenditure to each such person during the period covered by the  
12 campaign statement; the purpose of the expenditure; and the full  
13 name and street address of the person providing the consideration  
14 for which any expenditure was made if different from the payee;

15 (h) The amount and the date of expenditures for or  
16 against a candidate or ballot question during the period covered  
17 by the campaign statement and the cumulative amount of expenditures  
18 for or against that candidate or ballot question for the election  
19 period. An expenditure made in support of more than one candidate  
20 or ballot question, or both, shall be apportioned reasonably among  
21 the candidates or ballot questions, or both; and

22 (i) The total amount of funds disbursed by a separate  
23 segregated political fund, by state, for the purpose of supporting  
24 or opposing candidates and committees in elections in states  
25 other than Nebraska and candidates for federal office, including

1 independent expenditures made in such elections.

2 (2) For purposes of this section, election period means

3 (a) the period beginning January 1 of the calendar year ~~prior~~  
4 ~~to~~ following the year of the last general election in which  
5 the ~~candidate is seeking~~ office was on the ballot through the  
6 end of the calendar year of such ~~the following~~ election for  
7 candidate committees of candidates seeking covered elective offices  
8 as defined in subdivision (1)(a) ~~of section 32-1603,~~ ~~(b)~~ the period  
9 beginning July 1 of the calendar year prior to the year of the  
10 election in which the candidate is seeking office through the end  
11 of the calendar year of such election for candidate committees  
12 of candidates seeking covered elective offices so defined in  
13 ~~subdivision or~~ (1)(b) of section 32-1603, and ~~(e)~~ (b) the calendar  
14 year of the election for all other committees.

15 (3) A campaign statement shall include the total amount  
16 paid to individual petition circulators during the reporting  
17 period, if any, but shall not include the name, address, or  
18 telephone number of any individual petition circulator if the only  
19 payment made to such individual was for services as a petition  
20 circulator.

21 Sec. 3. Original section 32-1603, Reissue Revised  
22 Statutes of Nebraska, and section 49-1455, Revised Statutes  
23 Cumulative Supplement, 2008, are repealed.